

REMARKS

Initially, Applicants wish to thank the Examiner for the detailed Final Office Action and for the Notice of References Cited.

In the outstanding Final Office Action, claims 1-7 and 17-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over CHRISTOPOULOS et al. (U.S. Patent No. 6,961,754) in view of VETRO (U.S. Patent Application Pub. No. 2003/0156108). Claims 8-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over CHRISTOPOULOS et al. in view of VETRO and further in view of Official Notice.

Upon entry of the present amendment, independent claims 1-5 and 17 and dependent claims 6-16, 18 and 19 will have been amended. Support for amendments to independent claims 1-5 and 17 may be found at, for example, paragraphs [0029]-[0031] of Application specification as published (*e.g.*, U.S. Patent Application Publication No. 2006/0031281). The amendments to independent claims 1-5 and 17 and dependent claims 6-16, 18 and 19 should not be considered an indication of Applicants' acquiescence as to the propriety of any of the outstanding rejections. Rather, Applicants have amended independent claims 1-5 and 17 and dependent claims 6-16, 18 and 19 in order to advance the prosecution of the present application and to obtain an early allowance of the claims in the present application.

Applicants traverse the rejection of claims 1-7 and 17-19 under 35 U.S.C. §103(a) as being unpatentable over CHRISTOPOULOS in view of VETRO and the rejection of claims 8-16 under 35 U.S.C. §103(a) as being unpatentable over CHRISTOPOULOS in view of VETRO and further in view of Official Notice. In this regard, the Examiner acknowledges that CHRISOPOULOS fails to disclose describing capability information of the second terminal in a tree structure and asserts numerous portions of VETRO as teaching a terminal information

describer that describes the capability information of the second terminal in a tree structure, as specified in Applicants' independent claim 1. However, the asserted portions of VETRO in paragraphs [0028], [0037], [0048] and [0049] merely disclose parent-child relationships, but do not disclose that a subset of branches in the tree structure is selected to choose and/or configure the data for the second terminal, the data being implementable by the second terminal, the second terminal having a subset of terminal capabilities corresponding to the subset of branches in the tree structure, as recited in Applicants' amended independent claim 1. According to a non-limiting aspect of the present application, a tree structure defines terminal capabilities for a terminal having a hierarchical structure. The tree structure enables a multimedia framework to process negotiation of terminal capabilities that correspond to branches selected from the branches of the tree structure. Accordingly, it is possible to disregard or "bury" branches of the tree structures corresponding to different, irrelevant or non-selected categories of terminal capabilities that are not used by the multimedia framework in the current negotiation (*see, e.g.*, paragraphs [0029]-[0031] of the Application specification as published).

It is submitted that VETRO does not cure the deficiencies, nor has the Examiner applied VETRO to cure the deficiencies, noted above with respect to CHRISTOPOULOS. Thus, Applicants submit that if one attempted to combine the teachings of CHRISTOPOULOS and VETRO suggested by the Examiner, one would fail to arrive at the presently claimed invention, as defined by claim 1, as such a combination would lack features of the claimed invention. For at least these reasons, Applicants respectfully submit that CHRISTOPOULOS and VETRO, either singularly or in any proper combination, fails to disclose or render obvious the above-noted features recited in independent claim 1.

Moreover, independent claims 2-5 and 17 are submitted to be allowable for reasons similar to those noted above with respect to independent claim 1, in addition to reasons related to their own recitations.

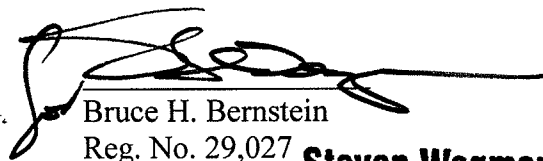
Applicants respectfully submit that each of dependent claims 6-16, 18 and 19 are allowable at least because they depend, directly or indirectly, from independent claims 5 and 17, respectively, which Applicants submit have been shown to be allowable. Each of dependent claims 6-16, 18 and 19 are also submitted to recite further patentable subject matter. As such, allowance of the dependent claims is deemed proper for at least the same reasons noted for the independent claims upon which they depend, in addition to reasons related to their own recitations. In this regard, it is submitted that "Official Notice" fails to disclose/suggest the features discussed above as lacking in CHRISTOPOULOS and VETRO.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-7 and 17-19 under 35 U.S.C. §103(a) as being unpatentable over CHRISTOPOULOS in view of VETRO, and the rejection of claims 8-16 under 35 U.S.C. §103(a) as being unpatentable over CHRISTOPOULOS in view of VETRO and further in view of Official Notice.

Should the Commissioner determine that an extension of time is required in order to render this response timely and/or complete, a formal request for an extension of time, under 37 C.F.R. §1.136(a), is herewith made in an amount equal to the time period required to render this response timely and/or complete. The Commissioner is authorized to charge any required extension of time fee under 37 C.F.R. §1.17 to Deposit Account No. 19-0089.

If the Examiner has any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,  
Sheng Mei SHEN et al.

A handwritten signature in black ink, appearing to read 'Bruce H. Bernstein', is written over a horizontal line.

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